

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
Indianapolis Division

FILED

11/06/2023

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
Roger A.G. Sharpe, Clerk

KEVIN JOHNSON,

Plaintiff,

v. Case No. 2:20-cv-00682-MPB-MJD

ROBERT E. CARRIER, Jr.,

Defendant.

MOTION FOR COURT INTERVENTION AND CONTEMPT

Plaintiff pro se hereby seeks this court's intervention and exercise of inherent and statutory (18 U.S.C. § 401) contempt powers to protect the integrity of these proceedings, the rights of plaintiff as a litigant, and to stop and correct ~~misbehavior~~ of below-named contemnors committed so near to this court as to obstruct the administration of justice herein:

1. On October 17, 2023 plaintiff received several orders from this court entered on or about October 2, 2023, ~~readeates~~ setting deadlines for him to do several things, including reply to defendants' summary judgment motion (SJM) by November 15, 2023, and by November 3, 2023 provide a list of his proposed exhibits and witnesses, submit his settlement demand to defendants and so on. He also received a copy of the SJM on that October 17, 2023 date which had been resent to him by defense counsel per the court's order.

2. On October 19, 2023 before plaintiff could begin preparing to respond to these orders and ~~an~~ SJM, all of his personal and legal property, including his records of this case and the aforementioned documents he just received on October 17, 2023, were taken from him by officials at Sussex I State Prison under direction of the warden Kevin McCoy and Intelligence officer P. Pallant. All of that property has since been withheld from him. He therefore has nothing related to this case in his possession, and cannot abide by the outstanding orders and deadlines above.

3. Throughout the pendency of this action custodians have repeatedly frustrated and prevented plaintiff from fully and fairly litigating this case; from refusing to deliver mail from the court and counsel

THEREFORE this Court should intervene and initiate ~~the~~ proceedings against the above-named contemnors for misconduct committed so near to this court as to obstruct the administration of justice, and order the return of plaintiff's property, fine and penalize them for the taking and withholding of his personal property so as to frustrate his ability to proceed fully and fairly in this case and abide by court orders and deadlines.

Respectfully submitted,

J.C.C.
Plaintiff pro se

Reply to: Kevin Johnson, No 1002485
VAOC Central Mail Distribution Center
3521 Woods Way
Estate Farm, VA 23160

CERTIFICATE

I hereby certify having mailed a true copy of this document by placing it into care of custodial officials for mailing postage prepaid on this 1st day of November 2023 to the contemnors at the names and addresses listed above in #4, to Clerk, U.S. District Court, 46 E. Ohio St., Indianapolis, IN 46204 and defense counsels.

J.C.C.
Plaintiff pro se

CHRISTOPHER L. COX
NOTARY PUBLIC
Commonwealth of Virginia
Registration No. 7940048
My Commission Expires September 30, 2025

Sworn and signed before me on this 11th day of November 2023.

Christopher Cox

Notary Public

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9-30-2025

My commission expires